

(Published in the Topeka Metro News May 17, 2021)

ORDINANCE NO. 20295

ORDINANCE introduced by City Manager Brent Trout relating to the vacation of a 20' wide easement described as "public easement for utilities, vehicular and pedestrian ingress-egress" on property located at 700 SW Topeka Blvd in the City of Topeka, Shawnee County, Kansas (*V21E/01*) (*Council District No. 1*)

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. That pursuant to the requirements of K.S.A. 12-504 as amended, a petition by Gray Horse Farms LLC, as property owner, has been filed with the office of the City Clerk, requesting the vacation of the following described public easement located within the City of Topeka, Shawnee County, Kansas:

The 20-foot wide vacated alley south of SW 7th Street, between SW Topeka Blvd and SW Harrison Streets, adjacent to Lots 217 through 228, Original Town, being described in Book 2221, Page 692, Book 2225, Page 732, and Book 2225, Page 907

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on May 11, 2021, the petition is ready for determination by the Governing Body of the City of Topeka, Kansas.

Section 3. That the Governing Body of the City of Topeka, after being duly informed and hearing the evidence presented finds that:

- a. Legal notice was given as required by K.S.A. 12-504 as amended.
- b. No private rights will be injured or endangered by such vacation.
- c. The public will suffer no loss or inconvenience by such vacation.

Section 4. That the Governing Body of the City of Topeka does hereby find that justice requires the petition of vacation be granted and does hereby order the vacation of the below described public easement located within the City of Topeka, Kansas:

The 20-foot wide vacated alley south of SW 7th Street, between SW Topeka Blvd and SW Harrison Streets, adjacent to Lots 217 through 228, Original Town, being described in Book 2221, Page 692, Book

Section 5. That the Council of the City of Topeka does hereby find that justice further requires the provision for a “public utility easement” to be established over the described property as set forth in Section 4 and does hereby order the retention of the below described area as a “public utility easement”:

The 20-foot wide vacated alley south of SW 7th Street, between SW Topeka Blvd and SW Harrison Streets, adjacent to Lots 217 through 228, Original Town, being described in Book 2221, Page 692, Book 2225, Page 732, and Book 2225, Page 907

Section 6. The City Clerk is hereby directed to certify a copy of this ordinance to the Shawnee County Register of Deeds Office for appropriate recording.

Section 7. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of Topeka, May 11, 2021.

Michelle De La Isla, Mayor

ATTEST:

Brenda Younger, City Clerk